

1 UNITED STATES DEPARTMENT OF JUSTICE

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21
22 UNITED STATES BANKRUPTCY COURT
23 NORTHERN DISTRICT OF CALIFORNIA
24 SAN FRANCISCO DIVISION

25 In re:

26 PG&E CORPORATION

27 - and -

28 PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

- 29 ☐ Affects PG&E Corporation
- 30 ☐ Affects Pacific Gas and Electric Company
- 31 ☒ Affects both Debtors

32 *All papers shall be filed in the Lead Case,*
33 *No. 19-30088 (DM).*

) Bankruptcy Case
) No. 19-30088 (DM)

) Chapter 11
) (Lead Case)
) (Jointly Administered)

) **DECLARATION OF MICHAEL TYE IN**
) **SUPPORT OF THE UNITED STATES'**
) **RESPONSE TO THE OMNIBUS OBJECTION**
) **OF THE OFFICIAL COMMITTEE OF TORT**
) **CLAIMANTS (SUBSTANTIVE) TO NO**
) **LIABILITY CLAIMS FILED BY THE**
) **DEPARTMENT OF HOMELAND**
) **SECURITY/FEDERAL EMERGENCY**
) **MANAGEMENT AGENCY (CLAIMS NO. 59692,**
) **59734 & 59783)**

) Date: February 26, 2020
) Time: 10:00 a.m. (Pacific Time)
) Place: United States Bankruptcy Court
) Courtroom 17, 16th Floor
) San Francisco, CA 94102

1 I, Michael Tye, declare as follows,

- 2 1. I am a Trial Attorney for the United States Department of Justice in the Commercial Branch
3 of the Civil Division, which is counsel to the Federal Emergency Management Agency,
4 which has asserted proofs of claims in the above-captioned bankruptcy cases. If called to do
5 so, I could and would competently testify to the facts set forth below based on my personal
6 knowledge.
- 7 2. Attached hereto as Exhibit A are true and correct copies of the attachments to FEMA's
8 proofs of claims filed in the above-entitled bankruptcy.
- 9 3. Attached as Exhibit B is a true and correct copy of a Cal FIRE News Release, *CAL FIRE*
10 *Investigators Determine Cause of the Camp Fire*" (May 15, 2019).
- 11 4. Attached as Exhibit C is a true and correct copy of a Cal FIRE News Release, *CAL FIRE*
12 *Investigators Determine Causes of 12 Wildfires in Mendocino, Humboldt, Butte, Sonoma,*
13 *Lake, and Napa Counties*" (June 8, 2018).
- 14 5. Attached as Exhibit D is a true and correct copy of a Cal FIRE News Release, *CAL FIRE*
15 *Investigators Determine Cause of Four Wildfires in Butte and Nevada Counties*" (May 25,
16 2018).
- 17 6. Attached as Exhibit E is a true and correct copy of a Cal FIRE News Release, *CAL FIRE*
18 *Investigators Determine Cause of the Cascade Fire* (Oct. 8, 2018).
- 19 7. Attached as Exhibit F is a true and correct copy of a report from the California Public Utility
20 Commission entitled *Study of Risk Assessment and PG&E's GRC*, May 6, 2013.
- 21 8. Attached as Exhibit G is a true and correct copy of 2014 Report from the California Public
22 Utility Commission entitled *Audit of PG&E's North Valley Division*.
- 23 9. Attached as Exhibit H is a true and correct copy of a Wall Street Journal article, *PG&E's*
24 *Long Record of Run-Ins With Regulators: A 'Cat and Mouse Game* (Sept. 5, 2019).
- 25 10. Attached as Exhibit I is a true and correct copy of a document entitled "Camp Fire
26 Claimants' Brief re Estimation" filed in the above-entitled action.
- 27 11. Attached as Exhibit I is a true and correct copy of a document entitled Second Order to Show
28 Cause Why PG&E's Conditions of Probation Should Not Be Modified, entered in *United*

1 *States v. PG&E*, No. CR 14-0175 WHA (Doc. 1027) (Mar. 5, 2019)

2 I declare under penalty of perjury that the forgoing is true and correct. Executed on February 12,
3 2020 at Washington, DC.

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5 MICHAEL TYE (DCBN 488101)
6 Trial Attorney

7 Attorneys for United States
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